SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2007-0095 - Justin Substation

REOUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7520-7530 North Lamar Boulevard (Waller Creek Watershed) from limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning to public-neighborhood plan (P-NP) combining district zoning. First reading approved on November 29, 2007. Vote: 6-0 (Cole-off the dais). Applicant: City of Austin, Austin Energy. Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge E. Rousselin, 974-2975.

DEPARTMENT COMMENTS:

The subject property consists of a 2.036 acre site zoned LI-PDA fronting Lamar Boulevard. The property was rezoned on April 15, 2004 by Ordinance No. 040415-50 from LI, CS, CS-1, MF-4, MF-3, and SF-3 to LI-PDA and is subject to the conditions of such ordinance (Please see Attachment A). No conditions were placed on the subject property. The applicant seeks to rezone the property to P-NP to allow for the relocation of the existing electrical substation on Justin Lane. The relocation of the substation will allow for the redevelopment of the proposed commuter rail stop and associated uses. Access to the property is proposed off Lamar Boulevard. A change to the land use designation Major Planned Development to Utilities is in process under case NPA-07-0017.01.

APPLICANT: City of Austin, Austin Energy

AGENT: Neighborhood Planning and Zoning Department

DATE OF FIRST READING: November 29, 2007

CITY COUNCIL HEARING DATE: January 17, 2008

CITY COUNCIL ACTION:

November 29, 2007:

The first reading of the ordinance for public-neighborhood plan (P-NP) combining district zoning was approved.

ASSIGNED STAFF: Jorge E. Rousselin, e-mail: jorge.rousselin@ci.austin.tx.us

ZONING REVIEW SHEET

CASE: C14-2007-0095

P.C. DATE: August 14, 2007

August 28, 2007

ADDRESS: 7520 – 7530 North Lamar Boulevard

APPLICANT: City of Austin -- Austin Energy (Lena Lund)

AGENT: City of Austin -- Neighborhood Planning and Zoning Department (Jorge E. Rousselin)

<u>**REZONING FROM:**</u> LI-PDA-NP (Limited industrial services – Planned development agreement-neighborhood plan)

TO: P-NP (Public—neighborhood plan)

AREA: 2.036 Acres

SUMMARY PLANNING COMMISSION RECOMMENDATION:

August 28, 2007:

APPROVED P-NP DISTRICT ZONING.

ENCOURAGED APPLICANT TO WORK WITH CITY STAFF (CITY ARBORIST)
REGARDING STREET TREES AND NEIGHBORHOOD ASSOCIATIONS ON LANDSCAPING
AND PUBLIC ART ALONG SUBSTATION.
[S.KIRK, M.DEALEY 2ND] (8-0)

SUMMARY STAFF RECOMMENDATION:

Staff recommends the rezoning from LI-PDA-NP to P-NP. The recommendation is based on the following considerations:

- 1.) The rezoning is in conformance with the goals and objectives of the Crestview/Wooten Neighborhood Plan in that it promotes the redevelopment of the Huntsman Petrochemical site to encourage a diversification of land uses.
- 2.) The proposed change will allow the relocation of utility services to the area;
- 3.) The proposed rezoning will not infringe on the established surrounding land uses; and
- 4.) The proposed rezoning will result in the move of an existing electrical substation from an area near residences to a site with mixed uses more conducive to like uses; and

DEPARTMENT COMMENTS:

The subject property consists of a 2.036 acre site zoned LI-PDA fronting Lamar Boulevard. The property was rezoned on April 15, 2004 by Ordinance No. 040415-50 from LI, CS, CS-1, MF-4, MF-3, and SF-3 to LI-PDA and is subject to the conditions of such ordinance (Please see Attachment A). No conditions were placed on the subject property. The applicant seeks to rezone the property to P-NP to allow for the relocation of the existing electrical substation on Justin Lane. The relocation of the substation will allow for the redevelopment of the proposed commuter rail stop and associated uses. Access to the property is proposed off Lamar Boulevard. A change to the land use designation Major Planned Development to Utilities is in process under case NPA-07-0017.01.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LI-PDA-NP	Vacant buildings
North	CS-MU-CO-NP	Pawn shop
South	CS-NP / LI-PDA-NP	Vacant buildings (former Chemical Plant)
East	GR-MU-CO-NP	Commercial / Retail
West	LI-PDA-NP	Undeveloped land

NEIGHBORHOOD PLAN AREA:

TIA: Waived (See Transportation comments)

Crestview Neighborhood Planning Area

CAPITOL VIEW CORRIDOR: N/A

DESIRED DEVELOPMENT ZONE: Yes

WATERSHED: Waller Creek

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

793--Greater Northcross Area

93--Crestview Neighborhood Assn.

223--Highland Neighborhood Assn.

283--North Austin Neighborhood Alliance

511--Austin Neighborhoods Council

740--Brentwood/Highland Combined Neighborhood Planning Team - COA Liaison

741--Crestview/Wooten Combined Neighborhood Planning Team - COA Liaison

742--Austin Independent School District

786--Home Builders Association of Greater Austin

937--Taking Action Inc.

SCHOOLS:

Austin Independent School District

- Brentwood Elementary School
- Lamar Middle School
- McCallum High School

CASE HISTORIES: N/A

RELATED CASES:

NUMBER	REQUEST	PLANNING	CITY COUNCIL
		COMMISSION	
C14-04-0004.002	CRESTVIEW /	02/10/04: APVD STAFF	03/04/04: APVD (6-0); 1ST
	WOOTEN	REC OF NP (6-0) WITH	RDG.
	NEIGHBORHOOD	REQUEST THAT THERE	
1	PLAN COMBINING	BE FURTHER	04/01/04: APVD AS
	DISTRICT (CITY	DISCUSSION BETW	GRANTED ON 1ST RDG (6-
	INITIATED)	THE NEIGH AND P/O'S	0) W/EXCEPTIONS
		FOR PROPERTIES	
		W/DISPUTES.	
C8-56-028	NORTHERN	10/17/56: APPROVAL	N/A
	INDUSTRIAL		

	SUBDIVISION SEC.1		
C14-03-0041	CS to CS-1	02/26/03: DISAPVD CS-1 (6-1 MM-NO).	04/10/03: APVD CS-1-CO FOR FOOTPRINT (6-1, RA- NO), PROHIBITED COCKTAIL LOUNGES/AOB; 1ST RDG
			05/08/03: APVD CS-1-CO (7- 1, RA-NO)_

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Lamar Blvd	90'	90'	Arterial	Yes	No	Rt. 1 North Lamar

CITY COUNCIL DATE:

September 27, 2007

ACTION:

This item was postponed to October 18,

2007 at Austin Energy's request.

October 18, 2007

This item was postponed to November 29,

2007 at the staff's request.

November 29, 2007

The first reading of the ordinance for public-

neighborhood plan (P-NP) combining

district zoning was approved.

January 17, 2008

ORDINANCE READINGS: 1st

2nd

 3^{rd}

ORDINANCE NUMBER:

CASE MANAGER: Jorge E. Rousselin, NPZD

PHONE: 974-2975

E-MAIL: jorge.rousselin@ci.austin.tx.us

STAFF RECOMMENDATION

Staff recommends the rezoning from LI-PDA-NP to P-NP. The recommendation is based on the following considerations:

- 1.) The rezoning is in conformance with the goals and objectives of the Crestview/Wooten Neighborhood Plan in that it promotes the redevelopment of the Huntsman Petrochemical site to encourage a diversification of land uses.
- 2.) The proposed change will allow the relocation of utility services to the area;
- 3.) The proposed rezoning will not infringe on the established surrounding land uses; and
- 4.) The proposed rezoning will result in the move of an existing electrical substation from an area near residences to a site with mixed uses more conducive to like uses; and

BASIS FOR RECOMMENDATION

1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

The proposed rezoning will encourage diversification of land uses abutting a major planned development area and will not be of detrimental impact to the surrounding established neighborhoods.

2. The proposed zoning should promote consistency and orderly planning.

The proposed mixed-use overlay is compatible with the projected land uses for the redevelopment of the Crestview Station.

EXISTING CONDITIONS

Site Characteristics

The subject property consists of a 2.036 acre site zoned LI-PDA fronting Lamar Boulevard. The property was rezoned on April 15, 2004 by Ordinance No. 040415-50 from LI, CS, CS-1, MF-4, MF-3, and SF-3 to LI-PDA and is subject to the conditions of such ordinance (Please see Attachment A). No conditions were placed on the subject property. The relocation of the substation will allow for the redevelopment of the proposed commuter rail stop and associated uses. Access to the property is proposed off Lamar Boulevard.

Transportation

- 1. No additional right-of-way is needed at this time.
- 2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

- 2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
- 3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
- 4. According to flood plain maps, there is no flood plain within the project area.
- 5. At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
- 6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Water and Wastewater

1. This is a City substation site. The landowner intends to serve the site with City of Austin water and wastewater utilities. If required, the landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and or abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction.

Site Plan and Compatibility Standards

- 1. Site plans will be required for any new development other than single-family or duplex residential.
- 2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.
- 3. This site is subject to the Commercial Design Standards of Subchapter E.

ORDINANCE NO. 040415-50

AN ORDINANCE AMENDING ORDINANCE NO. 040401-32B, AND REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON THREE TRACTS OF LAND, BEING APPROXIMATELY 73.4 ACRES OF LAND IN THE CRESTVIEW NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON THESE TRACTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Ordinance No. 040401-32B is amended to include the property identified in this Part in the Crestview neighborhood plan combining district. The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district and to change the base zoning districts on three tracts of land described in File C14-04-0004.002, as follows:

7100-7400 N Lamar Blvd (11.499 ac. Abs 679, Sur 7 GW Spear),

7414 N Lamar Blvd (31.887 ac Abs 789 Sur 57 GW Spear),

7500 N Lamar Blvd (Lot 2A Resub of

Lots 1-2 Northern Commercial Subd),

7520-7524 N Lamar Blvd(Lots 1-4 Blk A Northgate Addn),

7526-7530 N Lamar Blvd (Trt 1-2 Kivlin-Smith Subd),

810 Banyon St (Lot 3 Northern Commercial Subd),

904-910 Banyon St (Lots 1-4 Northern Industrial Subd),

1007-1019 Aggie Ln (Lots 7-12 Blk A Resub of

Lots 21-23 Northgate Addn), and

907 Morrow St (S 252 ft of Trt 3 Kivlin-Smith Subd) (Tract 160a)

1016 Aggie Ln, and

1001-1209 Morrow St

(Tracts 160b-1 and 160b-2)

821-901 Morrow St,

907 Morrow St (N 149.84 ft of

Trt 3 Kivlin-Smith Subd), and

909-913 Morrow St

(Tract 160c)

(the "Property") as shown on the attached Exhibit "A",

generally known as the Crestview neighborhood plan combining district, locally known as the area bounded by Anderson Lane on the north, Lamar Boulevard on the east, Justin Lane on the south, and Burnet Road on the west, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The base zoning districts for the 3 tracts of land are changed from family residence (SF-3) district, multifamily residence medium density (MF-3) district, multifamily residence moderate high density (MF-4) district, general commercial services (CS) district, commercial-liquor sales (CS-1) district, and limited industrial services (LI) district to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district, as more particularly described and identified in the chart below.

Tract No.	Property	From	То
160a	7100-7400 N Lamar Blvd (11.499 AC OF ABS 679 SUR 7 SPEAR G W), 7414 N Lamar Blvd (31.887 AC OF ABS 789 SUR 57 SPEAR G W), 7500 N Lamar Blvd (LOT 2A RESUB OF LOTS 1-2 NORTHERN COMMERCIAL SUBD), 7520-7524 N Lamar Blvd (LOTS 1-4 BLK A NORTHGATE ADDN), 7526-7530 N Lamar Blvd (TRT 1-2 KIVLIN-SMITH SUBD), 810 Banyon St (LOT 3 NORTHERN COMMERCIAL SUBD), 904-910 Banyon St (LOTS 1-4 NORTHERN INDUSTRIAL SUBD), 1007-1019 Aggie Ln (LOTS 7-12 BLK A RESUB LOTS 21-23 NORTHGATE ADDN), 907 Morrow St (S 252 FT OF TRT 3 KIVLIN-SMITH SUBD)	LI, CS, CS-1, MF- 4, MF-3, SF-3	LI-PDA-NP
160b-1 160b-2	1016 Aggie Ln, 1001-1209 Morrow St (as described in Exhibit "C) 1016 Aggie Ln, 1001-1209 Morrow St (as described in Exhibit "C)	LI, SF-3	LI-PDA-NP
160c	821-901 Morrow St, 907 Morrow St (N 149.84 ft of Trt 3, Kivlin-Smith Subd), 909- 913 Morrow St	CS, MF-4, SF-3	LI-PDA-NP

PART 3. The Property is subject to Ordinance No. 040401-32B that established the Crestview neighborhood plan combining district.

PART 4. Tract 160a may be developed as a residential infill special use as set forth in Section 25-2-1532 through 25-2-1534 of the Code.

PART 5. Tract 160a may be developed as a neighborhood urban center special use as set forth in Sections 25-2-1521 through 25-2-1524 of the Code.

PART 6. Development of the Property identified as Tracts 160a, 160b-1, 160-2, and 160c located within the boundaries of the planned development area (PDA) combining district established by this ordinance ("PDA Property") is subject to the use and site development regulations set forth in this part. Use and site development regulations expressly provided in this part supercede conflicting regulations in the City Code.

- 1. Development of the PDA Property shall comply with Section 25-2-648 (Planned Development Area Performance Standards) of the City Code.
- 2. Except as provided in Sections 3 to 7, all permitted and conditional limited industrial services (LI) uses are permitted and conditional uses of Tracts 160a, 160b-1, 160b-2, and 160c.
- 3. The following uses are additional permitted uses of Tract 160a:

Administrative services

Bed and breakfast residential (Group 1)

Bed and breakfast residential (Group 2)

Consumer repair services

Convalescent services

Multifamily residential

Pet services

Park and recreation services (general)

Condominium residential

Family home

Park and recreation services (special)

Research assembly services

Research warehousing services

Retirement housing (large site)

Retirement housing (small site)

Single family residential

Townhouse residential

Urban farm

Two-family residential

4. The following uses are prohibited uses of Tracts 160a, 160b-1, 160b-2, and 160c:

Agricultural sales and services

Automotive repair services

Automotive sales

Automotive washing (of any type)

Campground

Convenience storage

Drop-off recycling collection facility

Equipment repair services

Equipment sales

Kennels

Liquor sales

Monument retail sales

Outdoor entertainment

Recycling center

Resource extraction

Scrap and salvage

Vehicle storage

5. The following uses are additional permitted uses of Tracts 160b-1 and 160c:

Bed and breakfast residential (Group 1)

Condominium residential

Park and recreation services (special)

Single family residential

Two-family residential

Family home

Community recreation (public)

Bed and breakfast residential (Group 2) Park and recreation services (general)

Retirement housing (small site)

Townhouse residential

Urban farm

Community recreation (private)

The following uses are permitted uses of Tract 160b-2:

Park and recreation services (special)

Community recreation (private)

Park and recreation services (general)

Community recreation (public)

6. The following uses are prohibited uses of Tracts 160b-1, 160b-2, and 160c:

Administrative and business offices

Art and craft studio (general)

Automotive rentals

Building maintenance services

Business support services

Construction sales and services

Electronic prototype assembly

Financial services

Funeral services

General retail sales (limited)

Indoor entertainment

Laundry services

Personal improvement services

Plant nursery

Research services

Restaurant (limited)

Software development

Veterinary services

Custom manufacturing

Light manufacturing

Counseling services

Maintenance and service facilities

Residential treatment

Transportation terminal

Art and craft studio (limited)

Art and craft studio (industrial)

Bail bond services

Business or trade school

Commercial off-street parking

Consumer convenience services

Exterminating services

Food sales

General retail sales (general)

Hotel-motel

Indoor spots and recreation

Medical offices

Personal services

Professional office

Restaurant (general)

Service station

Theater

Basic industry

General warehousing and distribution

Limited warehousing and distribution

Congregate living

Railroad facilities

Transitional housing

The following uses are additional prohibited uses of Tract 160b-2:

Communications services Outdoor sports and recreation Communication service facilities Day care services (limited)

Group home, Class I (general)

Group home, Class II

Off-site accessory parking

Club or lodge Community events

Employee recreation

Group home, Class I (limited)

7. The following uses are conditional uses of Tracts 160b-1 and 160c:

College and university facilities

Day care services (commercial)

Local utility services

Cultural services

Day care services (general)

Safety services

- 8. Calculations for zoning impervious cover, building coverage, floor to area ratios, parking, landscaping, and required open space are based on the cumulative gross site area of the PDA Property.
- 9, Except as provided in Sections 11 to 14, the CS site development standards apply to Tract 160a.
- 10. Except as provided in Sections 11 and 12, the SF-6 site development standards apply to Tracts 160b-1, 160b-2, and 160c.
- 11. The site development standards in Schedule 1, Column A, set forth in Section 24, apply to a single family residential use.
- 12. The site development standards in Schedule 1, Column B, set forth in Section 24, apply to a townhouse residential use or condominium residential use.
- 13. The uses identified in this section are subject to Section 14.

Congregate living Convalescent services Multifamily residential Retirement housing (small site) Retirement housing (large site)

14. Except as provided in Section 15, development of the uses in Section 13 shall comply with the site development standards in Schedule 1, Column C set forth in Section 24.

- 15. This section applies to a combination use building.
 - A. A combination use building is a building that contains both a commercial use and (1) a residential use, or (2) a congregate living use or a convalescent services use.
 - B. A combination use building must comply with the following criteria.
 - 1. The building must contain residential units above the ground floor.
 - 2. The square footage of the residential units on the ground floor may not exceed 50 percent of the gross floor area of the ground floor.
 - 3. The square footage of the non-residential units in the above-ground floor area may not exceed 50 percent of the gross floor area of the above-ground floor area.
 - C. The CS site development standards apply to a combination use building.
- 16. The maximum density is 1,472 dwelling units for a residential use identified in this section.

Bed and breakfast residential (Group 1) Condominium residential Multifamily residential Retirement housing (large site) Single family residential Townhouse residential Bed and breakfast residential (Group 2) Group residential Retirement housing (small site) Single family attached residential Small lot single family residential Two-family residential

17. The uses identified in this section are subject to Sections 18 to 21.

Basic industry Light manufacturing General warehousing and distribution

18. A building setback in Section 19 shall not apply to a use or zoning district identified in Section 19 that is located east of Lamar Boulevard or on Tracts 147, 148, and 149.

- 19. A 200-foot wide building setback shall be established between a use identified in Section 17 and:
 - A. A use identified in Section 13.
 - B. A residential use including a combination use building.
 - C. A multifamily residence highest density (MF-6) district or less restrictive zoning district.
- 20. Notwithstanding Sections 18 and 19, development of the Property is subject to Chapter 25-2, Subchapter C, Article 10 (Compatibility Standards).
- 21. A use identified in Section 17 is a prohibited use of the property located in the vicinity of Banyon Street as shown in Exhibit "D".
- 22. A minimum 17.4 acres of the Property shall be open space. Open space may include a community recreation (private or public) use. Required setback areas may not be included as required open space except for the setback areas within a community recreation (private or public) use.
- 23. Open space required under Section 22 will be credited toward parkland dedication required for a residential subdivision within the Property, in accordance with Chapter 25-4, Article 3, Division 5 of the Code. An 80 percent credit will be allowed for privately owned and maintained park and recreational facilities, and a 100 percent credit will be allowed for land dedicated as parkland to the City.

24. Schedule I Site Development Chart.

Regulation	COLUMN A SINGLE FAMILY RESIDENTIAL	COLUMN B Townhouse & Condominium	COLUMN C ALL OTHER RESIDENTIAL USES
Minimum Lot Size	3,500 SF	2,000 SF	5,750 SF
Minimum Lot Width	30 FT	20 FT	50 FT
Maximum Height	35 FT	35 FT	60 FT
Minimum Front Yard Setback	10 FT	5 FT	5 FT
Minimum Front Garage Setback	20 FT	20 FT	
Minimum Street Side Yard Setback	10 FT	10 FT	10 FT
Minimum Interior Side Yard Setback	5 FT	0 FT	5 FT
Minimum Rear Yard Setback	5 FT	5 FT	10 FT
Maximum Building Coverage	55%	70%	75%
Maximum Impervious Cover 65%		75%	80%

- 25. A site plan or building permit for development on Tract 160 may not be approved, released, or issued, if the completed development or uses of Tract 160, considered cumulatively with all existing or previously authorized development or uses, generate traffic onto Morrov Street that exceeds 1,000 trips per day.
- 26. Except as specifically provided under this ordinance, the PDA Property shall be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 7. This ordinance takes effect on April 26, 2004.					
PASSED AND APPROVED					
April_15	% % 	Will Wynn Mayor			
APPROVED: David Allan Smith City Attorney	_ATTEST:	Shirley A. Brown City Clerk			









